



# INVESTIGATIVE REPORT

Lori Torres, Inspector General

OFFICE: INDIANA DEPARTMENT OF CHILD SERVICES  
TITLE: NEPOTISM  
CASE ID: 2017-08-0165  
DATE: March 5, 2018

*Inspector General Staff Attorney Kelly Haltom, after an investigation by the Inspector General's Director of Investigations, Darrell Boehmer, and Special Agent Amy Johnson, reports as follows:*

The Indiana General Assembly charged the Office of Inspector General (OIG) with addressing fraud, waste, abuse, and wrongdoing in the executive branch of state government. IC 4-2-7-2(b). The OIG also investigates criminal activity and ethics violations by state workers. IC 4-2-7-3. The OIG may recommend policies and carry out other activities designed to deter, detect, and eradicate fraud, waste, abuse, mismanagement, and misconduct in state government. IC 4-2-7-3(2). The OIG may also advise an agency on implementing policies and procedures to prevent and reduce the risk of wrongful acts within an agency. IC 4-2-7-3(2).

On August 4, 2017, the OIG received an anonymous complaint through its online hotline alleging that a Department of Child Services (DCS) Regional Manager (RM) was in violation of the ethics rule on nepotism based on interactions she had with her niece, a Family Case Manager (FCM) working in the RM's region. Specifically, it was alleged that the RM (Aunt) and FCM (Niece) were staffing cases together and discussing other work related matters. The reporting party noted that the Aunt and the Niece also worked in the same local office.

OIG Director of Investigations, Darrell Boehmer, and Special Agent Amy Johnson conducted an investigation into this matter. Moreover, DCS also conducted their own internal investigation into this matter.

Director Boehmer and Special Agent Johnson found no evidence that the Aunt was involved in the hiring of the Niece by DCS. The Niece also held several positions at DCS before transitioning to the position of FCM in the same local office as the Aunt. The investigation found no evidence that the Aunt was involved in the Niece's position transitions or office transfers.

Director Boehmer and Special Agent Johnson also found that DCS had put a screen in place to prevent the Aunt from supervising or directing the work of the Niece. The screen required the Niece to report up to a RM in a different region. This RM was to sign off on the Niece's appraisals and handle any other matters involving the Niece that would require a RM's review or approval.

However, Director Boehmer and Special Agent Johnson found that the screen was not well documented or communicated to others in the office. They found there was no documentation outlining the guidelines of the screen itself and one of the Niece's former supervisors stated she was never provided a specific chain of command for the Niece.

Director Boehmer and Special Agent Johnson also found instances where the screen was not strictly adhered to by the Aunt and the Niece. They found that the Aunt signed off on one of the Niece's work schedule requests, though the Aunt acknowledged that this should have instead gone to the other RM. They also found emails between the Aunt and the Niece regarding placements, substantiations, assigned investigations, and overtime/flex time. These emails

conveyed information from the Aunt to the Niece; however, they did not clearly indicate that the Aunt was supervising the Niece's work.

Overall, Director Boehmer and Special Agent Johnson found insufficient evidence that the Aunt assigned work to the Niece, signed off on Niece's appraisals, or made major decisions regarding the Niece's employment. As a result, the OIG declines to pursue an ethics complaint in this matter.

Although the OIG is declining to file an ethics complaint in this matter, the OIG found limited evidence of a nepotism violation. DCS took an important step by implementing a screen to prevent certain instances where the Aunt would have the authority to affect the terms or conditions of the Niece's employment. However, DCS personnel did not always strictly enforce the screen nor did they thoroughly document or communicate the screen to others.

As a result, the OIG is making the following recommendations pursuant to IC 4-2-7-3(2) to prevent issues like this in the future:

**Recommendation 1**

If practical and/or feasible, DCS should ensure that the Aunt and the Niece do not work in the same local office. If the Aunt and the Niece are located in the same office, communications between them about general day-to-day matters could be perceived as the Aunt providing the Niece supervision or direction, especially if they are discussing cases. As support for this position, the OIG refers to the hotline complaint filed in this case.

If such a move is not practical, DCS should take any additional necessary steps to avoid the appearance of impropriety that may result from the Aunt and the Niece working in the same office. The following recommendations provide additional steps that DCS can take to further this end.

### **Recommendation 2**

To further address the appearance of impropriety, DCS should thoroughly document, in writing, any screen the agency implements to prevent supervision of the Niece by the Aunt. DCS should provide a copy of the screen to all LODs in their region, the Niece's supervisors, and all employees working within the same local office as the Aunt and the Niece. The screen should clearly indicate that the Niece is not in the Aunt's direct line of supervision, identify the Nieces' supervisors, and caution the Aunt about exerting any kind of implied or actual authority over the Niece.

### **Recommendation 3**

Additionally, DCS should thoroughly document, in writing, any matters concerning the Niece that require approval or review by a RM in the Niece's personnel file to document that the Aunt was not involved in such decisions. Such documentation will also help to prove that the Aunt, the Niece, and all necessary personnel are informed of the screen and adhering to its guidelines.

### **Recommendation 4**

Nepotism is a reoccurring problem that needs to be continually addressed. To assist in preventing violations of nepotism in the future, DCS should consider providing additional training or supplemental instructions for all DCS hiring personnel on the nepotism rule. The training should emphasize that employees cannot be placed in a relative's direct line of supervision, which the Code of Ethics defines as the "chain of command in which the superior affects, or has the authority to affect, the terms and conditions of the subordinate's employment, including making decisions about work assignments, compensation, grievances, advancements or

performance evaluation.” The training also should encourage hiring personnel and managers to look for ways, such as through documentation and communication, to reduce the appearance of impropriety in regards to the nepotism rule.

Dated: March 5, 2018

APPROVED BY:

A handwritten signature in black ink that reads "Lori Torres". The signature is written in a cursive style with a long horizontal flourish at the end.

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Lori Torres, Inspector General